

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products
Liability Litigation,

No. 2:15-MD-02641-DGC

EXPERT REPORT OF DANIEL COUSIN, MD

Sherr Una Booker

- On CT abdomen 2/28/2008, the tip of one of the filter prongs of the IVC filter is again seen extending outside of the inferior vena cava and into the wall of the abdominal aorta.
- On Lumbosacral Spine radiograph of 3/26/2009, one of the medial filter prongs extends towards the abdominal aorta.
- On CT abdomen and pelvis of 12/2/2011, one of the prongs of the inferior vena cava filter is clearly noted extending outside the inferior vena cava wall and with its tip in the center of the abdominal aorta.
- On CT of the abdomen and pelvis of 12/2/2011, one of the filter prong tips is again seen located in the center of the abdominal aorta.

Some of these radiology reports did comment on the presence of an inferior vena cava filter, but did not describe an abnormal appearance. For example, on CT abdomen and pelvis 2/20/2008 interpreted by Dr. Stephen Kardon, it was noted that “an inferior vena cava filter is in place.” On Lumbosacral Spine radiograph of 3/26/2009 by Dr. Sarwat Kamal Amer, it was described “IVC filter is noted.”

The CT of the abdomen and pelvis 6/26/2014 ultimately reported the abnormality of the inferior vena cava filter findings. The impression of this report states “IVC filter is in place. One of the legs of the IVC filter appears to extend into the lumen of the abdominal aorta infrarenal portion.”

On the chest xray of 7/3/2014, findings correctly report that a “filter fragment is seen in the region of the right ventricle.” This finding confirmed that one of the prongs of the filter had actually broken off and travelled through the vasculature and into the right side of the heart.

It is my opinion that abnormality of the inferior vena cava filter was clearly present during

all of the above studies from 2/20/2008 until 6/26/2014 when it was formally identified.

Furthermore, it is my opinion within a reasonable degree of medical certainty that the standard of care for practice of a diagnostic radiologist is to identify findings such as this abnormal device appearance during reporting of these examinations. The facts that the examinations were requested for other indications and that the findings would have been incidental do not impact that duty to report the abnormal device appearance. The standard of care requires that a diagnostic radiologist report all findings of significant abnormality even those unrelated to the reasons for the examination performed.

By failing to identify and report the abnormal appearance of the inferior vena cava filter, the diagnostic radiologists prevented Ms. Booker's treating physicians from having information to assess her medical condition pertaining to the IVC filter.

My opinions herein are based on the available medical records and I expressly reserve the right to alter my opinions if and when new records are provided to me for review and analysis.



6/29/2017

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